

# Type I and II Ground Disturbing Categorical Exclusion Action Classification Form

|                     |                    |
|---------------------|--------------------|
| STIP Project No.    | <u>EB-5877</u>     |
| WBS Element         | <u>47272.1.1</u>   |
| Federal Project No. | <u>TAP-4021(1)</u> |

A. Project Description:

The City of Greensboro is planning to construct approximately 4,000 feet of sidewalk along Farmington Drive in Greensboro, North Carolina. The City of Greensboro resides in Guilford County. The project will begin at the intersection of Farmington Drive with Gate City Boulevard and continues on both sides of the roadway to the intersection of Farmington Drive with Wintergarden Lane. From the intersection of Farmington Drive with Wintergarden Lane, the project continues on the north side of the roadway eastward, terminating at the intersection of Farmington Drive with South Holden Road. The project includes the addition of curb and gutter, a 2.5-foot grass strip, and a concrete sidewalk that varies in width from 5 to 6 feet. See Attachment A – Location Maps, Photographs & Typical Sections)

B. Description of Need and Purpose:

The purpose of this project is to facilitate and improve pedestrian access along Farmington Drive. The sidewalk will be constructed adjacent to existing roadways in areas that have been identified as lacking pedestrian accommodations or needing improved pedestrian accommodations. The project will provide safe and convenient pedestrian access, and will improve access and connectivity for underserved areas by extending sidewalk and by filling in key gaps in the sidewalk system. The infrastructure included in this project is identified in the 2040 Metropolitan Transportation Plan (MTP) for the Greensboro Urban Area and are included in the adopted Greensboro 2015 Bicycle, Pedestrian, and Greenways Master Plan (BiPed).

C. Categorical Exclusion Action Classification: (Check one)

TYPE I A

D. Proposed Improvements – Delete Action Classifications that do not apply.

- 3. Construction of bicycle and pedestrian lanes, paths, and facilities.
- 7. Landscaping.
- 8. Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.
- 23. Federally-funded projects:
  - a) That receive less than \$5,000,000 (as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor) of Federal funds; or

## E. Special Project Information:

### Threatened and Endangered Species

Threatened and Endangered Species reviews were performed on May 23, 2019 and October 21, 2019 by an environmental scientist with WithersRavenel (WR). The reviews included a pedestrian survey to assess vegetative communities and identify potential habitat for, or occurrences of, federally listed species within or immediately adjacent to the review area. The current federally listed species known to occur in Guilford County are the Cape Fear shiner (Endangered), the Roanoke logperch (Endangered), Schweinitz's sunflower (Endangered), small whorled pogonia (Threatened) and the bald eagle (Bald and Golden Eagle Protection Act). Also, the Atlantic pigtoe is listed as an At Risk Species (Proposed Threatened).

The survey for federally listed threatened and endangered species resulted in a biological conclusion that activities within the review area will have "No Effect" on the Cape Fear shiner, the Roanoke logperch, Schweinitz's sunflower, small whorled pogonia, the bald eagle, and the Atlantic pigtoe due to either a lack of habitat or the lack of presence of the species.

The US Fish and Wildlife Service has developed a programmatic biological opinion (PBO) in conjunction with the Federal Highway Administration (FHWA), the US Army Corps of Engineers (USACE), and NCDOT for the northern long-eared bat (NLEB) in eastern North Carolina. The PBO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. The programmatic determination for NLEB for the NCDOT program in Divisions 1-8 is "May Affect, Likely to Adversely Affect." The PBO will provide incidental take coverage for NLEB and will ensure compliance with Section 7 of the Endangered Species Act for five years for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Guilford County, where the Project is located. This level of incidental take is authorized from the effective date of final listing through April 30, 2020.

### Wetlands, Streams, and Buffers:

The site review did not identify any wetlands within the review area.

The site review identified one perennial stream (Stream 1) within the review area. Stream 1 is depicted on both the USGS Quadrangle and Soil Survey Maps. At this stream location, the sidewalk alignment was determined to be located entirely within the existing, filled ROW. Therefore, there are no impacts to the jurisdictional stream anticipated for construction of the sidewalk.

If proposed activities will result in either temporary or permanent impacts to Stream 1, authorization from the US Army Corps of Engineers (USACE) and NC Division of Water Resources (NCDWR) will be required through Section 404/401 permitting.

The project is located within the Jordan Lake drainage basin (Haw River sub basin) and is subject to the Jordan Lake Riparian Buffer Rules. Since the proposed project is a City of Greensboro project, enforcement of the Jordan Lake Buffer Rules would default to NCDWR. Per the Jordan Lake Riparian Buffer Rules, any intermittent or perennial streams depicted on the USGS Quadrangle Maps or Guilford County Soil survey are subject to 50' riparian buffers.

There is one depicted feature within the review corridor consisting of one perennial stream. Based on the site review, the depicted feature was determined “present” in the field, and therefore is subject to riparian buffers. No other streams were identified within the review corridor or within 50’ of the review area. Buffer subjectivity of the field verified depicted stream is conceded, and therefore formal Buffer Determination form NCDWR is not required.

National Historic Preservation Act

The project does not propose to rehabilitate, alter, remove or demolish any historic property, and there is no proposed sale, transfer, or lease of historic properties within the project area. There are no SHPO entries in proximity to the project boundary.

The NC Department of Cultural Resources, State Historic Preservation Office (SHPO) has reviewed the proposed project. In their response letter dated October 28, 2019 (see Attachment B – SHPO Response), SHPO stated that they are aware of no historic resources which would be affected by the project and, therefore, have no comment on the project as proposed.

Right of Way/Easements, Section 4(f) and Section 6(f)

The proposed sidewalk will be located adjacent to the existing roadway, resulting in minimal impact to any front yard or commercial property. The project does not require the relocation of any residence or business, nor are any parking spaces being eliminated. The project requires the acquisition of 0.015 AC of right of way, 0.003 AC of permanent easement, and 0.435 AC of temporary construction easement. There are no Section 4(f) or Section 6(f) resources located within the project limits.

Environmental Commitments

A Transaction Screen Assessment (TSA) was performed for this project included site reconnaissance and review of ownership documents, aerial photographs, historical property uses, public records, the Environmental Data Resources (EDR) Report and the construction plans.

Based on the results of this environmental review and the scope of the proposed sidewalk improvements, it was determined that no sites appear to pose an environmental concern to the proposed sidewalk corridor.

Permits Required

This project requires the following approvals:

1. NCDEQ Erosion and Sedimentation Control Plan
2. NPDES NCG01 Certificate of Coverage

Estimated Costs

|              |           |
|--------------|-----------|
| Right of Way | \$ 1,000  |
| Construction | \$398,336 |
| Total        | \$399,336 |

F. Project Impact Criteria Checklists:

| <u>Type I &amp; II - Ground Disturbing Actions</u>   |   |                                     |                                     |
|--|---|-------------------------------------|-------------------------------------|
| <u>FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA</u>   |   |                                     |                                     |
| If any of questions 1-7 are marked “yes” then the CE will require FHWA approval.   |   | Yes                                 | No                                  |
| 1  | Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2  | Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGPA)?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3  | Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 4  | Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 5  | Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 6  | Does the project require an Individual Section 4(f) approval?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 7  | Does the project include adverse effects that cannot be resolved with a Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act (NHPA) or have an adverse effect on a National Historic Landmark (NHL)? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| If any of questions 8 through 31 are marked “yes” then additional information will be required for those questions in Section G. |   |                                     |                                     |
| <u>Other Considerations</u>  |   | Yes                                 | No                                  |
| 8  | Does the project result in a finding of “may affect not likely to adversely affect” for listed species, or designated critical habitat under Section 7 of the Endangered Species Act (ESA)?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 9  | Is the project located in anadromous fish spawning waters?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 10   | Does the project impact waters classified as Outstanding Resource Water (ORW), High Quality Water (HQW), Water Supply Watershed Critical Areas, 303(d) listed impaired water bodies, buffer rules, or Submerged Aquatic Vegetation (SAV)? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 11   | Does the project impact waters of the United States in any of the designated mountain trout streams?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 12   | Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 13   | Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 14   | Does the project include a Section 106 of the NHPA effects determination other than a no effect, including archaeological remains?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

| <u>Other Considerations (continued)</u> |  | Yes                      | No                                  |
|---|--|--------------------------|-------------------------------------|
| 15                                      | Does the project involve hazardous materials and/or landfills?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16                                      | Does the project require work encroaching and adversely affecting a regulatory floodway or work affecting the base floodplain (100-year flood) elevations of a water course or lake, pursuant to Executive Order 11988 and 23 CFR 650 subpart A?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17                                      | Is the project in a Coastal Area Management Act (CAMA) county and substantially affects the coastal zone and/or any Area of Environmental Concern (AEC)?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 18                                      | Does the project require a U.S. Coast Guard (USCG) permit?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 19                                      | Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 20                                      | Does the project involve Coastal Barrier Resources Act (CBRA) resources?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 21                                      | Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 22                                      | Does the project involve any changes in access control?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 23                                      | Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 24                                      | Will maintenance of traffic cause substantial disruption?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 25                                      | Is the project inconsistent with the STIP or the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP) (where applicable)?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 26                                      | Does the project require the acquisition of lands under the protection of Section 6(f) of the Land and Water Conservation Act, the Federal Aid in Fish Restoration Act, the Federal Aid in Wildlife Restoration Act, Tennessee Valley Authority (TVA), or other unique areas or special lands that were acquired in fee or easement with public-use money and have deed restrictions or covenants on the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 27                                      | Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 28                                      | Does the project include a <i>de minimis</i> or programmatic Section 4(f)?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 29                                      | Is the project considered a Type I under the NCDOT's Noise Policy?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 30                                      | Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 31                                      | Are there other issues that arose during the project development process that affected the project decision?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

G. Additional Documentation as Required from Section F

Item 10:

The project is located within the Jordan Lake drainage basin (Haw River sub basin) and is subject to the Jordan Lake Riparian Buffer Rules. Since the proposed project is a City of Greensboro project, enforcement of the Jordan Lake Buffer Rules would default to NCDWR. Per the Jordan Lake Riparian Buffer Rules, any intermittent or perennial streams depicted on the USGS Quadrangle Maps or Guilford County Soil Survey are subject to 50' riparian buffers.

There is one depicted feature within the review corridor consisting of one perennial stream. Based on the site review, the depicted feature was determined "present" in the field, and therefore is subject to riparian buffers. At this stream location, the sidewalk alignment was determined to be located entirely within the existing, filled ROW. Therefore, there are no impacts to this jurisdictional stream anticipated for construction of the sidewalk.

No others steams were identified within the review corridors or within 50' of the review area. Buffer subjectivity of field verified depicted streams is conceded, and therefore a formal Buffer Determination from NCDWR is not required.

H. Project Commitments

**Guilford County  
Farmington Drive Sidewalk Improvements  
Federal Project No. TAP-4021(1)  
WBS No. 47272.1.1  
TIP No. EB-5877**

**City of Greensboro – Engineering and Inspections Department**

- *After project completion, the contract administrator for construction must submit the actual amount of tree clearing reported in tenths of acres. This information should be submitted at: <https://connect.ncdot.gov/site/construction/biosurveys/Lists/Northern%20Long%20Eared%20Bat/AllItems.aspx>. Please contact ([cdmanley@ncdot.gov](mailto:cdmanley@ncdot.gov)), Environmental Analysis Unit- Biological Surveys Group with any questions.*

I. Categorical Exclusion Approval

STIP Project No. EB-5877  
WBS Element 47272.1.1  
Federal Project No. TAP-4021(1)

**Prepared By:**

3-24-2020 Frances S. Gallagher  
Date Frances S. Gallagher, PE, Sr. Project Manager  
WithersRavenel, 919-238-0410

**Prepared For:** John Fersner, PE, City of Greensboro  
Local Government Agency

**Reviewed By:**

7/28/2020 DocuSigned by:  
Date John Jamison  
CA084B4A6412432...  
John Jamison, Western Regional Lead  
NCDOT Environmental Policy Unit



**Approved**

If all of the threshold questions (1 through 7) of Section F are answered "no," NCDOT approves this Categorical Exclusion.



**Certified**

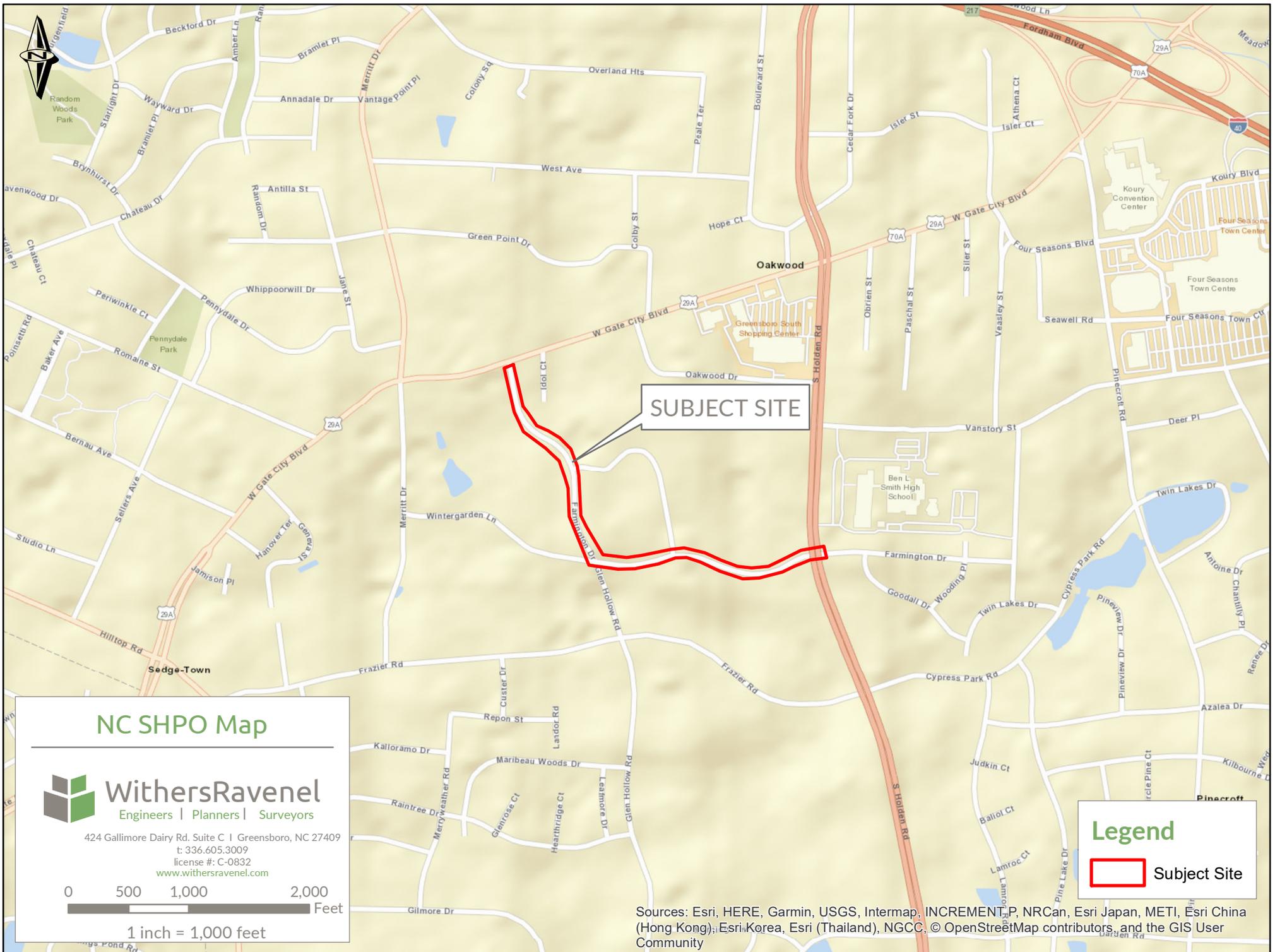
If any of the threshold questions (1 through 7) of Section F are answered "yes," NCDOT certifies this Categorical Exclusion.

7/28/2020 DocuSigned by:  
Date J. M. Mills/P. D. Wilson for  
2232BC18A448466...  
Mike Mills, PE, Division Engineer  
NCDOT Division 7

**FHWA Approved:** For Projects Certified by NCDOT (above), FHWA signature required.

N/A  
Date John F. Sullivan, III, PE, Division Administrator  
Federal Highway Administration

**ATTACHMENT A – Location Maps,  
Photographs & Typical Sections**



### NC SHPO Map



**WithersRavenel**  
Engineers | Planners | Surveyors

424 Gallimore Dairy Rd, Suite C. 1 Greensboro, NC 27409  
t: 336.605.3009  
license #: C-0832  
www.withersravenel.com

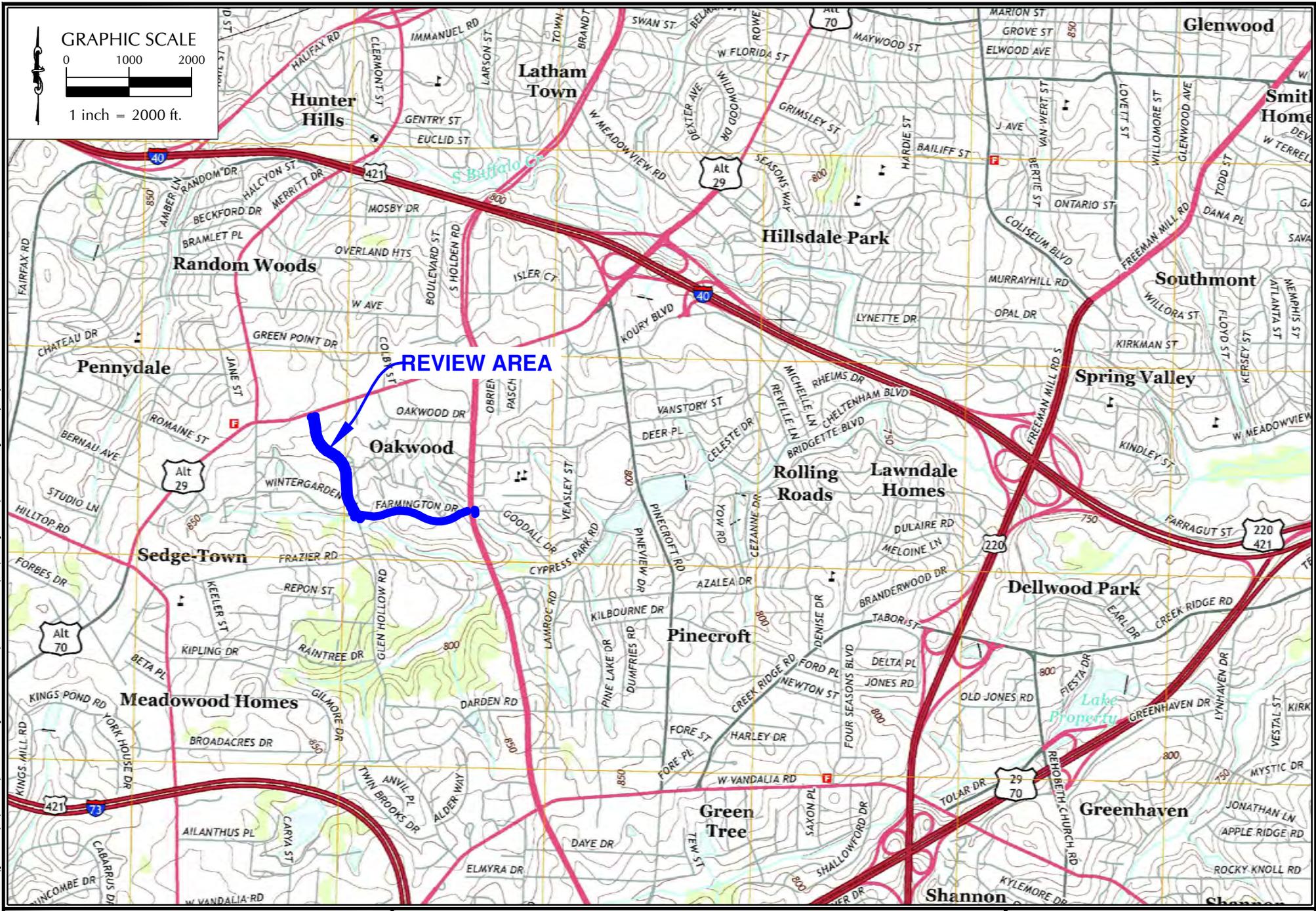
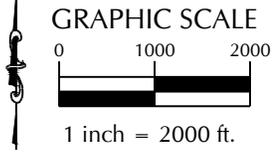


1 inch = 1,000 feet

**Legend**

**Subject Site**

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

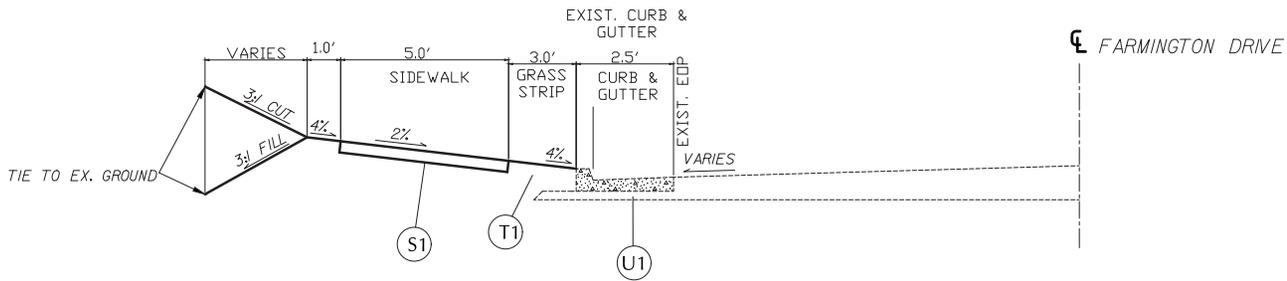


w:\greentree\win\win\01.com\greentree\1717-0850\170859-Farmington Drive Sidewalk\Delonides-Streams\CAD\Farmington - Report Exhibit.dwg - Tuesday, July 23, 2019 9:35:16 AM - RICCI, ALYSSA

FARMINGTON DRIVE SIDEWALK

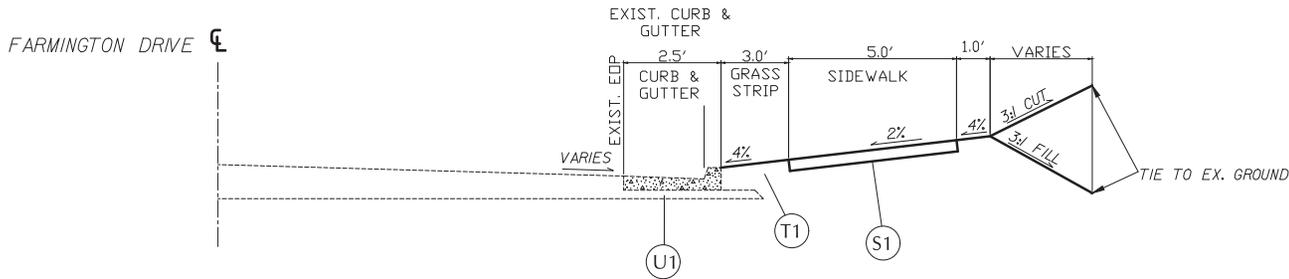
USGS QUAD (2013) - GREENSBORO





TYPICAL 1  
SIDEWALK WITH GRASS STRIP  
SCALE: NTS

| PAVEMENT SCHEDULE |                       |
|-------------------|-----------------------|
| S1                | 4" CONCRETE SIDEWALK. |
| T1                | EARTH MATERIAL.       |
| U1                | EXISTING PAVEMENT.    |



TYPICAL 2  
SIDEWALK WITH GRASS STRIP  
SCALE: NTS

## TYPICAL SECTIONS



## Photo Location Map



424 Gallimore Dairy Rd, Suite C. 1 Greensboro, NC 27409  
t: 336.605.3009  
license #: C-0832  
www.withersravenel.com

0 175 350 700 Feet

1 inch = 350 feet

## Legend

-  Subject Site
-  # Photo Location

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**PHOTOGRAPHIC RECORD**

**Project: Farmington Drive Sidewalk Improvements.**

**W&R Proj. No.: 06170859.00**

*Frame No. 1*



View looking northeasterly along Farmington Drive towards the intersection of Farmington Drive with Gate City Boulevard. Please see accompanying Photo Location Map for image reference.

*Frame No. 2*



View looking southeast along Farmington Drive from the intersection of Farmington Drive with Gate City Boulevard. Please see accompanying Photo Location Map for image reference.

**PHOTOGRAPHIC RECORD**

Project: Farmington Drive Sidewalk Improvements.

W&R Proj. No.: 06170859.00

*Frame No. 3*



View looking southeast along Farmington Drive at approximately 3738 Farmington Drive. Please see accompanying Photo Location Map for image reference.

*Frame No. 4*



View looking south along Farmington Drive towards the primary entrance to the Deluxe Corporation. Please see accompanying Photo Location Map for image reference.

**PHOTOGRAPHIC RECORD**

Project: Farmington Drive Sidewalk Improvements.

W&R Proj. No.: 06170859.00

*Frame No. 5*



View looking southeast along Farmington Drive towards the intersection of Farmington Drive with Wintergarden Lane (photo taken from western side of Farmington Drive). Please see accompanying Photo Location Map for image reference.

*Frame No. 6*



View looking southeast along Farmington Drive towards the intersection of Farmington Drive with Wintergarden Lane (photo taken from eastern side of Farmington Drive). Please see accompanying Photo Location Map for image reference.

**PHOTOGRAPHIC RECORD**

Project: Farmington Drive Sidewalk Improvements.

W&R Proj. No.: 06170859.00

*Frame No. 7*



View looking east along Farmington Drive from the intersection of Farmington Drive with Wintergarden Lane. Please see accompanying Photo Location Map for image reference.

*Frame No. 8*



View looking east along Farmington Drive towards primary entrance to the Stonestrow Apartment Homes. Please see accompanying Photo Location Map for image reference.

**PHOTOGRAPHIC RECORD**

Project: Farmington Drive Sidewalk Improvements.

W&R Proj. No.: 06170859.00

*Frame No. 9*



View looking east along Farmington Drive from approximately 3501 Farmington Drive. Please see accompanying Photo Location Map for image reference.

*Frame No. 10*



View looking northeast along Farmington at its approximate intersection with Stonestrow Road. Please see accompanying Photo Location Map for image reference.

**PHOTOGRAPHIC RECORD**

Project: Farmington Drive Sidewalk Improvements.

W&R Proj. No.: 06170859.00

Frame No. 11



View looking east along Farmington Drive towards its intersection with South Holden Road. Please see accompanying Photo Location Map for image reference.

**ATTACHMENT B – SHPO Response**



**North Carolina Department of Natural and Cultural Resources  
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Roy Cooper  
Secretary Susi H. Hamilton

Office of Archives and History  
Deputy Secretary Kevin Cherry

October 28, 2019

Frances Gallagher  
WithersRavenel  
424 Gallimore Dairy Road, Suite C  
Greensboro, NC 27409

Re: Install Sidewalks, Farmington Drive, Greensboro, EB-5877, Guilford County, ER 19-3008

Dear Ms. Gallagher:

Thank you for your letter of October 3, 2019, concerning the above project.

We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579 or [environmental.review@ncdcr.gov](mailto:environmental.review@ncdcr.gov). In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,

A handwritten signature in blue ink that reads "Renee Gledhill-Earley".

 Ramona Bartos, Deputy  
State Historic Preservation Officer